

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

IN RE:)
)
Kevin J. McClave) **Chapter 13**
)
&)
Lauren McClave) **Case No.: 14-32042**
)
_____)

**MOTION FOR A
PLAN PAYMENT MORATORIUM**

NOW COMES Debtors, **Kevin J. McClave, and Lauren McClave**, hereinafter (Debtors), by and through their attorney of record, Sean T. Dillenbeck and moves this Court for an Order granting a Plan Payment Moratorium in their Chapter 13 plan. In support hereof Debtor shows unto the Court the following:

1. Debtors filed a petition voluntarily on December 5, 2014, and their plan was thereafter confirmed on February 24, 2015;
2. Debtors' plan payment is \$1,836.00 monthly.
3. Debtors are unable to make their Chapter 13 plan payments for June, July, and August 2015 due to the fact of female debtor's recent loss of employment.
4. Female debtor is currently searching for new employment.
5. Attorney for the Debtor, has performed legal services for the Debtor with respect to the preparation and prosecution of this Motion. Such attorney is therefore entitled to the award of a non-base fee of \$350.00 plus reimbursement of copy and postage costs in the sum of \$11.52, a total of \$361.52.

WHEREFORE, Debtor prays to the Court as follows:

1. That, after notice and hearing, a Motion for Moratorium on Debtors' Plan Payments be granted for June, July, and August and resume their normal Plan Payments starting in September 2015.

2. That the Attorney for the Debtor be awarded a non-base fee of \$350.00 plus reimbursement of copy and postage fees of \$11.52, a total of \$361.52 to be paid via the plan.

3. And for such and further relief as to the court seem just and proper.

This the 12th day of May 2015.

/s/ Sean Dillenbeck
Sean Dillenbeck
Law Offices of Love & Dillenbeck,
PLLC
324 Rensselaer Avenue
Charlotte, NC 28203
(704)-512-0981
(866)-629-8617 (fax)

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

**NOTICE OF HEARING ON MOTION FOR A
PLAN PAYMENT MORATORIUM**

Sean T. Dillenbeck, attorney for the Debtor, has filed a Motion for a Plan Payment Moratorium with the Court as described above. A copy of said Motion is attached hereto.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one).

A hearing will be held to consider this Motion on **June 23rd, 2015 at 10:00 a.m.**, at the **Charles Jonas Federal Building, 401 West Trade St., Charlotte, North Carolina**. No further notice of this hearing will be given.

All interested parties may attend and be heard. If you do not oppose the Application, you do not have to attend.

If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the Motion and may enter an order granting the requested relief.

This the 12th day of May, 2015.

/s/ Sean T. Dillenbeck
Sean T. Dillenbeck, NC Bar No.
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**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

Kevin J. McClave)
&)
Lauren McClave)
Case No.: 14-32042
Chapter 13

CERTIFICATE OF SERVICE

I hereby certify that on this date, a copy of the ***Motion for a Plan Payment Moratorium and Notice of Hearing*** was served on the parties listed below via Electronic Case Filing or by United States Postal Service as indicated:

Linda Simpson
U.S. Bankruptcy Administrator

Via Electronic Case Filing

Warren Tadlock
Chapter 13 Trustee

Via Electronic Case Filing

This the 12th day of May, 2015.

/s/ Sean Dillenbeck
Sean Dillenbeck
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